

Report Date: January 28, 2014

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JAN 28 2014

Eastern District of Washington

SEAN F. McAVOY, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Rosanna L. Perez

Case Number: 0980 2:11CR02086-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: July 11, 2012

Original Offense: Crime on Indian Reservation - Assault Resulting in Substantial Bodily Injury,
18 U.S.C. §§ 1153 & 113(a)(7)Original Sentence: Prison 15 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: September 1, 2012

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: October 6, 2015

PETITIONING THE COURT

To issue a warrant and incorporate the violations contained in this petition in future proceedings with the violation previously reported to the Court on November 12, 2013.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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2	<u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.
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Supporting Evidence: Ms. Perez was cited for obstruction of justice and for driving under the influence/physical control by the Yakama Nation Police Department, case number 14-04332, on January 21, 2014.

According to the Yakama Nation police narrative report, on January 21, 2014, an officer was dispatched to a motor vehicle accident. The reporting party indicated a vehicle was "burning rubber" outside his residence, however, he was able to identify the vehicle as it was leaving. The reporting party and another male entered his vehicle and chased after the fleeing vehicle. The reporting party was able to catch up and pass the fleeing vehicle, which was coming to a stop. The reporting party rolled down his car window to speak with the driver, whom he identified was Ms. Perez, asking her "what her problem was." The reporting party then indicated Ms. Perez put her car in reverse, and then in drive, colliding into the passenger side quarter panel of his vehicle. Ms. Perez and the passenger tried to leave, but the reporting party cut her off. Ms. Perez and the passenger came out of the vehicle, approached the reporting party, and Ms. Perez punched the reporting party on the forehead. The police

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officer advised he observed a small abrasion and lump on the victim, consistent with his information. The victim did not wish to pursue assault charges.

The officer then made contact with Ms. Perez, smelled the odor of alcohol and the defendant displayed signs of alcohol intoxication, to include slurred speech, bloodshot eyes, and staggered movements. The passenger was also contacted and she also displayed signs of intoxication. When Ms. Perez was questioned if she was the driver she said "no." After further investigation, the officer determined Ms. Perez was the driver of the vehicle. This information was later confirmed by Ms. Perez' passenger, who admitted to the police she was not truthful as she did not want her sister, Ms. Perez, going to jail.

Ms. Perez was subsequently booked at the Yakama Nation Corrections. The defendant posted bail and was released on January 24, 2014.

- 3 **Special Condition # 19:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Ms. Perez was found under the influence of alcohol on January 21, 2014.

According to the Yakama Nation Police Department narrative report, Ms. Perez submitted to a voluntary personal breath test at the Yakama Nation Corrections, which resulted in a reading of .260 percent blood alcohol content.

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The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

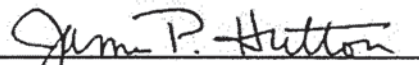
Executed on: January 28, 2014

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other


Signature of Judicial Officer

1/28/14
Date